

REMARKS/ARGUMENTS

Claims 1-26 were pending. Claims 1, 7, 8, 10, 14-16, 18, 20, 21 and 23 have been amended and claim 9 has been canceled. Therefore, upon entry of this amendment, which is respectfully requested, claims 1-8 and 10-26 will be pending.

Certain amendments were made herein to the specification to correct for minor grammatical errors. For example, in claims 14, 15 and 21 the incorrect spelling of "competetive" has been changed to the correct "competitive." No new matter has been added.

Claims 1, 4-11 and 18-21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,869,819 to Knowles *et al.* (hereinafter "Knowles").

Claims 1, 4-16, 18-21 and 24-26 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,064,979 to Perkowski.

Claims 2 and 22 were rejected under 35 U.S.C. §103 as being unpatentable over Knowles in view of U.S. Patent No. 6,282,433 to Holshouser.

Claim 3 was rejected under 35 U.S.C. §103 as being unpatentable over Perkowski in view of U.S. Patent No. 6,061,738 to Osaku *et al.* (hereinafter "Osaku").

Claims 17 and 23 were rejected under 35 U.S.C. §103 as being unpatentable over Knowles as modified by Holshouser, further in view of Perkowski.

Details of Perkowski and Knowles were discussed in prior responses.

Applicant respectfully asserts that the cited references fail to teach or suggest the limitations of the current claims. For example, with regard to claim 1, Applicant believes that the cited references fail to teach or suggest the limitations of "retrieving a product identifier for the specific product from a product information library storing product identifiers in relation to product codes," "transmitting a search query to the communication server from the cellular phone, wherein the search query includes a request to obtain information related to the specific product," and "processing the search query to obtain the product related information from two or more of the multiple databases by automatically sending the product identifier to a search engine." Independent claims 14, 18 and 23 also include similar limitations.

The system disclosed in Perkowski automatically takes a received UPN, performs a lookup in a relational database and provides a linked URL(s), if any, to the user. The user must then access the site(s) linked by the returned URL(s) to search for desired information. Further, Perkowski teaches retrieving information only from a single system wherein product information may be stored for registered and non-registered products, and does not teach searching other systems. Therefore, Perkowski may teach transmitting product information to a communication server (for the purpose of using it to return a URL), but not transmitting a search query to the server and sending a product identifier to a search engine from the server. The present invention on the other hand performs a search of multiple database systems for the user and provides results responsive to the query. Moreover, in Knowles, URL-encoded bar symbols on products are read for the purpose of allowing the user to link to a specific site identified by the URL. Thus, in Knowles the user must also perform a search in the linked site. The present invention on the other hand performs a search of multiple sites for the user and provides results responsive to the query.

Additionally, Applicant notes that the Examiner has failed to provide specific reasons for the rejections of claims 24-26. It is believed that none of the cited references teach or suggest the limitations presented in those claims. For example, it is believed that the references fail to teach or suggest the limitation of the displayed information including product related personal information as recited in claim 24. Further, it is believed that none of the references teach or suggest that the personal information includes a number of times the product was purchased by the user as recited in claim 25.

Applicant therefore respectfully request withdrawal of the pending rejections as Knowles and Perkowski, taken alone or in combination, fail to teach or suggest the limitations of the pending independent claims. Also, the remaining cited references fail to remedy the deficiencies in the teachings of Knowles and Perkowski. Additionally, Applicant respectfully asserts that all dependent claims are novel and non-obvious, based at least on their dependency, in view of Knowles and Perkowski and Knowles for at least the reasons given above.

Finally, the Examiner continues to make remarks indicating that "Applicant's first claim would cover using Netscape to retrieve product information from Yahoo! Shopping!and

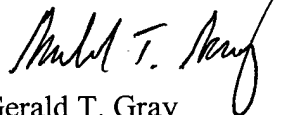
display it, a common activity prior to the time of the invention." Although using Netscape to retrieve product information from Yahoo! and displaying it may have been a common activity prior to the time of the invention, Applicant asserts that the pending claims each recite limitations that are novel and non-obvious over prior art as of the time of the invention. Applicant therefore requests that the Examiner either stop continuing to make such remarks or explicitly reject a claim based on Netscape with a specific recitation of the reasoning for such rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



Gerald T. Gray
Reg. No. 41,797

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
GTG:sea
60460648 v1